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August 12, 2011

**VIA CM/ECF and U. S. MAIL**

The Honorable Joseph E. Irenas  
United States District Judge  
Mitchell H. Cohen Federal Building & U.S. Courthouse  
1 John F. Gerry Plaza, Room 310  
Camden, NJ 08101

**RE: Brady, et al. v. Air Line Pilots Association**  
**Civil No. 02-2917 (JEI)**

Dear Judge Irenas:

Please note that there is a typographical error in Defendant's Brief submitted in support of its Motion for Judgment as a Matter of Law Pursuant to Fed. R. Civ. P. 50(b).

On page 29 of the Brief, the first full paragraph, first line, the word "dispute" should have been "claim." I attach a corrected page 29. I am also electronically filing and will forward a courtesy copy of a corrected Brief.

I apologize for the inconvenience.

Respectfully yours,

/s/ Steven J. Fram  
STEVEN J. FRAM

SJF:gam

Enclosure

cc: All Counsel of Record (w/enclosures) (via email only)

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members who testified at trial – Altman, Young and Hollander – ever suggested that they might have voted differently and none explained how the right to strike would have in any way helped the TWA pilots. It is undisputed that the TWA pilots wanted the American transaction to go forward because they wanted jobs, not the right to strike and be out of work. So any advice that there was no right to strike against TWA, LLC – rather than TWA, Inc. – was not only consistent with the bankruptcy brief, it was completely and undisputedly accurate.

With respect to the vote on April 2, 2001, there can be no claim that the advice given by the advisors other than Wilder – including independent advisors who did not answer to ALPA – was irrational or given in bad faith in order to help ALPA win over the AA pilots. Those advisors counseled the MEC to avoid the substantial risks associated with having the Bankruptcy Court rule on the Section 1113 motion and the possibility that American would abandon the entire transaction. Rautenberg and Singer, who themselves reviewed the Section 1113 motion papers, independently reached the same conclusion.

**D. ALPA Acted Reasonably And Responsibly In Deciding Not To Pursue Wilder's Litigation Theories.**

Nor is there any basis for arguing that a reasonable jury could have found that it was irrational or in bad faith for ALPA to have recommended against and refused to approve Wilder's proposal to file litigation to enjoin the American transaction. ALPA previously argued in its Trial Brief and Rule 50(a) motion that Wilder's theories lacked legal merit and maintains its position that the Court should have dismissed any claim based upon those theories as a matter of law. ALPA incorporates herein and relies upon those prior arguments, including its arguments that Wilder's theory was fundamentally flawed from a legal perspective because it violated the bankruptcy automatic stay and that pursuing litigation would have risked disaster for the TWA pilots.